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5 UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION

8 KRISTY GAMAYO, individually and on  
9 behalf of all others similarly situated,

10 Plaintiff,

11 vs.

12 MATCH.COM, L.L.C.,

13 Defendant.

Case No: C 11-00762 SBA

**ORDER DENYING PLAINTIFF'S  
MOTION TO APPOINT INTERIM  
COUNSEL**

Docket 5

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15 The parties are presently before the Court on Plaintiff's Motion to Appoint Interim  
16 Class Counsel. Dkt. 5. Defendant contends that any request for appointment of interim class  
17 counsel at this juncture is, at best, premature based on the pendency of Defendant's Motion to  
18 Dismiss or, in the Alternative, to Transfer, in which Defendant seeks transfer of this case and  
19 the related actions (i.e., Case Nos. C 11-1076 SBA and C 11-1206 SBA) to the Northern  
20 District of Texas.

21 The Court is persuaded that the instant motion is premature. There presently are two  
22 earlier-filed putative nationwide class actions pending in the Northern District of Texas that  
23 allege claims ostensibly arising from the same nucleus of operative facts as those asserted by  
24 Plaintiff in this case. As such, the issue of whether this and the related actions will proceed in  
25 this or in another forum should be resolved prior to determining whom to appoint as interim  
26 lead counsel. Accordingly,

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1 IT IS HEREBY ORDERED THAT Plaintiff's Motion to Appoint Interim Class Counsel  
2 is DENIED without prejudice to renewal following the Court's adjudication of Defendant's  
3 motion to dismiss or transfer. This Order terminates Docket 5.

4 IT IS SO ORDERED.

5 Dated: July 13, 2011

  
6 SAUNDRA BROWN ARMSTRONG  
7 United States District Judge  
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